

## REMARKS

The Office Action dated 17 September 2008 has been fully considered by the Applicant.

Enclosed is a Petition to Request A One-Month Extension of Time and a check in the amount of \$130 to cover the government fee.

Claims 1, 12 and 16 have been canceled. Claims 2-11 and 13-15 have been previously presented. Claims 17 and 18 have been currently amended.

The abstract has been objected to because of the arrangement of the specification. Applicant has amended the abstract to overcome the objection. Also, the specification has been amended to include the headers as now required.

Claims 4- 11, 13-16 and 18 have been rejected under 35 USC §103(a) as being unpatentable over United States Patent No. 5,995,155 to Schindler et al in view of United States Patent 5,740,466 to Geldman et al. Reconsideration of the rejection is respectfully requested.

Claim 18 has been amended to clarify that the CPU that determines whether or not the data is stored, is also responsible for inserting instructions into the FIFO buffer. The instructions are read-write commands intermixed with control system commands. The FIFO buffer is therefore a conduit for receiving instructions from the CPU directed towards the storage system. Support for this amendment can be found in Paragraphs 18 and 25 of the published application.

With regard to Geldman, according to Col . 12. lines 12-17, the instructions stored in the FIFO are simple read/write commands, but not control system commands. Control system commands such as SCSI phase changes are managed by the SCSI protocol processor 21 and the operation thereof is controlled either by the program stored in a buffer memory 27 or by the local processor 31 (Col. 5, lines 35-41). The buffer memory 27 is external to the SCSI controller (Figure

1) and separate to the FIFO 44, which is transparent to the local processor 31 (col. 13, lines 45-47). Therefore, it is not possible for the local processor to insert instructions into the FIFO as the FIFO is not visible to the local processor. Geldman is not only distinct from the present invention, but teaches away from the invention.

The advantage of Applicant's invention over Geldman is that the commands are generic, i.e. of a similar format, which allows processing functions to be consolidated. The CPU thus determines which data is stored and consequently inserts read-write commands intermixed with control system commands as appropriate into the FIFO buffer. The storage system efficiency is thus improved as the two command types can be mixed together--only one buffer is required.

With respect to Examiner Atala's comments on Page 5 concerning Geldman, it is noted that although the cited section of Col 4, lines 45-67 through to Col 5, lines 1-33 appear to describe read/write commands, they are issued from the local processor 31 to the buffer memory 27 which of course is separate to the FIFO 44 (Fig.2). Contrary to the Examiner's statement there is no discussion of commands relating to the FIFO in this section, or indeed compatible and interchangeable user-selected programs. As such Geldman, does not teach the CPU insert both types of commands into a FIFO.

In addition, the Examiner's citation of Col 19, lines 24-67 at the top of the page 6 does not exist in Geldman, as Col 19 only has 29 lines. Nevertheless, in case the Examiner is referring to claim 1 of Geldman, the SCSI-protocol processor indicated therein is coupled to a buffer memory which appears to hold instructions for the aforementioned processor. However, the buffer memory is not FIFO and the SCSI-protocol processor is not capable of analyzing the broadcast data to determine if it should be stored.

Applicant believes that currently amended Claim 18 having a CPU which analyzes the broadcast data and inserts intermixed instructions into a compatible FIFOs is not taught or suggested in the cited references taken along or in combination. In addition, Applicant's intermixing of the broadcast data and the instructions into a compatible FIFO improves the efficiency of the storage system.

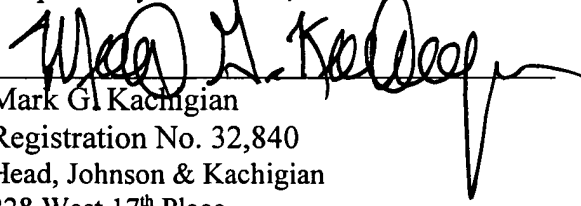
Claims 2 and 3 have been rejected under 35 USC 103(a) as being unpatentable over United States Patent No. 5,995,155 to Schlinder et al in view of United States Patent No. 5,740,466 to Geldman et al in further view of United States Patent No. 4,166,289 to Murtha et al. Reconsideration of the rejection is requested.

Claim 2 depends upon currently amended claim 18, and claim 3 depends upon dependent claim 2. Applicant believes that dependent claims 2 and 3 are novel over the cited references as stated above with reference to independent claim 18.

The remaining claims are dependent on independent Claim 18 and are believed allowable for the same reasons.

It is believed that the foregoing is fully responsive to the Office Action. If any issues remain, a telephone conference with the Examiner is requested. If any fees are associated with this action, please charge Account No. 08-1500.

Respectfully submitted,

  
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